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8 *Counsel for Spaulding*

9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 ESTATE OF VIOLA B. SPAULDING,
12 *et al.*,

13 *Plaintiffs,*

14 *v.*

15 YORK CLEANERS, INC., *et al.*

16 *Defendants.*

Case No. C 08-00672

STIPULATION AND ~~PROPOSED~~
ORDER RE VACATION OF REFERRAL
TO COURT CONNECTED MEDIATION

17 AND RELATED COUNTERCLAIMS,
18 CROSS-CLAIMS, AND THIRD-
19 PARTY CLAIMS

20 WHEREAS the parties to this action were initially ordered to mediation through
21 the Court's ADR program.

22 WHEREAS at the case management conference the Court suggested that the
23 parties use a private mediator experienced in environmental matters.

24 WHEREAS the parties have retained Lester Levy of JAMS as a private mediator
25 as reported to the Court in a letter dated September 19, 2008.

26 WHEREAS the parties will engage in mediation with Mr. Levy on December 3,
27 2008.

28 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES, BY AND
THROUGH THEIR UNDERSIGNED COUNSEL, THAT:

1. The parties will proceed with private ADR in lieu of the Court's ADR



1 program and should be removed from the Court ADR program docket.

2 IT IS SO STIPULATED:

3 DATED: October 8, 2008

PALADIN LAW GROUP® LLP

4
5 By: _____/S/
6 Bret A. Stone
7 Counsel for Spaulding

8 DATED: October 8, 2008

COX, WOOTTON, GRIFFIN, HANSEN &
POULOS LLP

9
10 By: _____/S/
11 Gregory W. Poulos
12 Counsel for David Victor Lewis and York
13 Cleaners, Inc.

14 DATED: October 8, 2008

SEDGWICK, DETERT, MORAN & ARNOLD
LLP

15
16 By: _____/S/
17 Robert N. Berg
18 Counsel for Martin Franchises, Inc.

19 DATED: October 8, 2008

GORDON & REES LLP

20
21 By: _____/S/
22 P. Gerhardt Zacher
23 Counsel for Cooper Industries, LLC

24 IT IS SO ORDERED, ADJUDGED AND DECREED:

25 DATED: October 10, 2008

26
27
28 United States District

